

AGREED MINUTES

of the Latvian – Spanish Joint Committee meeting on International Road Transport Issues held in Riga, 23rd – 24th April, 2008

The delegations have agreed upon the following agenda:

1. Exchange of information regarding the development of road transport between Latvia and Spain;
2. Exchange of viewpoints concerning cabotage road transport operations;
3. Implementation of EC Regulation 561/2006;
4. Introduction of the International Vehicle Weight Certificate (IVWC) according to the Annex 8 (on facilitation of border crossing procedures for international road transport) to the Convention of the International Convention on the Harmonization of Frontier Controls of Goods, 1982;
5. Exchange of viewpoints concerning further development of the ECMT quota system and revision of the Guide;
6. Miscellaneous, including:
 - control of international road haulage operations and related issues;
 - exchange of viewpoints regarding the adoption of the Customs Convention on the Temporary Importation of Commercial Road Vehicles.

The composition of the two delegations is annexed to the agreed minutes.

1. Exchange of information regarding the development of road transport between Latvia and Spain

The delegations exchanged information on the statistical data regarding the development of trade and international goods transport between Latvia and Spain.

The Latvian side pointed out that this is the first meeting of Latvian - Spanish Joint Committee after the accession of Latvia to the European Union (EU). Since then Latvia has experienced rapid growth of GDP. The number of transport companies as well as vehicles involved in international goods transport operations has doubled in the last four years. The Latvian side informed that among the biggest problems for

the Latvian carriers is the long waiting time on the border with the Russian Federation as well as growing shortage of drivers.

The Spanish delegation informed that the transport market in Spain reflects the economic situation, which means that the present decrease of demand in the transport market is connected with the reduction of economic development. Following the growing number of international road transport operations to the Russian Federation Spain is also facing the same problems of long waiting time at the border crossing points and problems with border crossing on the borders with Belarus and Ukraine.

The Spanish side described the problem of shortage of professional drivers which at present makes 23%. The situation has improved a little due to the crisis in the field of construction, because drivers who possess the license of the appropriate vehicle category overpass to the road transport business.

2. Exchange of viewpoints concerning cabotage road transport operations

Both delegations exchanged viewpoints regarding liberalization of cabotage road transport operations.

The Latvian delegation informed that after the accession to the European Union (EU) in case of Latvia the transitional period according to the formula of 2+2+1 years is applied. The second part of 2 years period ends on 30th April, 2008, and the Latvian side has decided to inform the European Commission (EC) on cancellation of cabotage restrictions from the 1st May, 2008.

The Latvian side emphasized that taking into consideration the geopolitical aspect it is very important for Latvia to perform the cabotage transport operations in transit.

The Latvian delegation informed that Latvia will support the EC Presidency proposal as well as the proposal of Ireland, which foresees to permit to perform one cabotage operation in the territory of each EU Member State long the most direct return route.

Spanish delegation informed that Spain will not renew the cabotage restrictions. In Spain the cabotage transport operations are performed by the Spanish enterprises registered in Portugal and enterprises with Spanish registration, which perform cabotage operations in France. The Spanish side stated that they support the propositions of the European Council (EC).

Both sides agreed to mutually open the cabotage transport market and follow the corresponding instructions of the EC.

3. Implementation of EC Regulation 561/2006

The delegations exchanged information on the interpretation of the EC Regulation 561/2006 in both countries and stressed the importance to share the viewpoints regarding this issue between our countries.

The Latvian side marked the problem of adaptation of the point 8 of the Article 8 indicating the permission to the driver to take rest in the vehicle, which has caused

certain problem for the Latvian carriers in Spain. There has been a demand for air conditioning in the vehicle in order to recognize that the driver has taken his rest.

The Spanish side replied that there is no such demand in Spanish legislation and asked to inform the Ministry of Transport on any cases that Spanish controlling authorities have raised such demands.

The Spanish delegation marked that the associations of international road carriers of both countries could cooperate in order to solve problems of hauliers.

The Spanish side also informed that in Spain there is no document required for the approval of the drivers' weekly rest period. The Spanish controlling authorities require the attestation of activities under the EC Regulation 561/2006 only in the three cases mentioned in the attestation form. The Spanish delegation proposed to discuss the issues of application of the abovementioned Regulation and digital tachograph system during the next Spanish – Latvian Joint Committee meeting in Madrid.

The Latvian delegation requested the Spanish side to share their experience concerning the interpretation of the exceptions of the Regulation regarding the "base place" of the vehicle. The Spanish delegation replied that in Spain most of the transport companies have the same legal and actual address, therefore the Spanish side does not recognize this matter as a problem. Nevertheless, the Spanish delegation confirmed their readiness to examine the issue and send a detailed reply later.

With reference to the Article 13.1.a of the Regulation the Latvian side asked the Spanish side to inform on the status of public institutions in Spain, whether the municipal authorities are recognized as public institutions or not. The Spanish delegation replied that in Spain all municipal authorities are governmental.

Both delegations agreed on the usefulness of elaboration of joint methodology of adaptation of the abovementioned Regulation in all EU Member Countries.

4. Introduction of the International Vehicle Weight Certificate (IVWC) according to the Annex 8 (on facilitation of border crossing procedures for international road transport) to the Convention of the International Convention on the Harmonization of Frontier Controls of Goods, 1982

The Latvian delegation informed that on 20th May, 2008, the new Annex 8 (on facilitation of border crossing procedures for international road transport) to the Convention on the Harmonization of Frontier Controls of Goods (Geneva, 21st October, 1982) will enter into force. According to the Annex the International Vehicle Weight Certificate (IVWC) should be introduced. The Latvian side stated that in Latvia the Ministry of Finance is the competent authority regarding this convention and according to their information the IVWC will be recognized in the territory of Latvia.

The Latvian delegation marked that the recognition and application of the International Vehicle Weight Certificate would reduce the number of weighing operations for trucks and accelerate the border crossing procedures, which is highly

significant at the Latvian – Russian border crossing points, where long queues of vehicles are formed.

The Spanish delegation informed that at the moment they do not have a definite position regarding this matter and there are no significant problems with border crossing for truck drivers in Spain.

5. Exchange of viewpoints concerning further development of the ECMT quota system and revision of the Guide

The delegations exchanged viewpoints on the perspective development of ECMT multilateral quota system. The Latvian side emphasized the important role of ECMT licenses for the Latvian carriers, especially with the respect to the road transport operations to/from the Russian Federation in the situation of shortage of Russian permits. The existing quota system has promoted the renewal of fleet of the Latvian carriers, therefore the Latvian side supports maintenance or enlargement of the present ECMT quota. The Latvian delegation asked for the support of Spanish side to the further development of the ECMT quota system.

The Spanish delegation informed that the existing quota is sufficient for the Spanish hauliers. The Spanish side informed that they do not support the enlargement of the present ECMT quota, but also would not support its reduction. Their goal is not to restrict the ECMT quota system, but to facilitate the use of the licenses.

Both delegations emphasized the necessity to simplify the system by reducing the number of required documents for the countries of the European Union.

6. Miscellaneous:

- Control of international road haulage operations and related issues

Both delegations exchanged information on the organization of road transport control in their countries. The Latvian delegation stated that from 1st January, 2006, an independent institution, Road Transport Inspectorate, has been established in order to perform road transport control operations in the territory of Latvia. Starting from 8th July, 2007, the controllers of the Road Transport Inspectorate have the power to stop vehicles without the presence of police officers.

The Latvian delegation provided information on penalties for infringements in road traffic applied in Latvia in English language. The Spanish delegation stated that detailed information on penalties is available in the web page of the Ministry of Fomento.

The Spanish delegation informed that in Spain the transport inspectors have the power to stop vehicles only with presence of traffic police officers. Upon application of penalty to the carrier the vehicle is stopped until the payment is made or payment guarantee is provided. The payment can be made in cash or by submitting a bank receipt. The checks of road transport documents in Spain can be made by the traffic police officers upon their own initiative.

- **Exchange of viewpoints regarding adoption of the Customs Convention on the Temporary Importation of Commercial Road Vehicles, 1956**

The Latvian delegation proposed for discussion the issue of the implementation of the Customs Convention on the Temporary Importation of Commercial Road Vehicles, 1956, in the respect of bilateral agreements on international road transport, which are signed after the accession of Latvia to the EU. The Latvian side inquired the opinion of the Spanish side regarding the inclusion of the Article concerning the exemption from taxes and charges on temporary importation of vehicle, its fuel and spare parts in the bilateral agreements on international road transport with the third countries in correspondence with the EU legislation.

The Spanish side replied that the European Union does not interfere with the bilateral agreements as long as the EU itself has not signed a separate agreement with the third countries. In this respect the inclusion of the abovementioned reciprocal exemptions in the bilateral agreements is recommendable.

The meeting was held in a friendly and constructive atmosphere. Both delegations emphasized the usefulness of the meeting.

The Spanish delegation proposed to organize the next Joint Committee meeting in Madrid in 2009, the exact time of which will be agreed by correspondence.

Done in Riga on 24th April, 2008, in two originals in the English language.

For the Latvian delegation


Mr. Jūlijs Vaitužs

For the Spanish delegation


Mr. Fernando Calvo

*Composition of the delegations:**Spanish delegation:*

- Mr. Fernando Calvo** - Ministry of Fomento, Head of Delegation
- Ms. Elena Chamón** - Ministry of Fomento
- Ms. Luz Elena Sanchez** - Ministry of Foreign Affairs
- Mr. Jose Manuel Pardo Vegezzi** - International Road Transport Association

Latvian delegation:

- Mr. Jūlijs Vaitužs** - Deputy Director of Road Transport Department, Ministry of Transport, Head of Delegation
- Mr. Aivars Olants** - Head of Foreign Relations and European Affairs Division, Road Transport Department, Ministry of Transport
- Ms. Annija Novikova** - Senior Officer, Foreign Relations and European Affairs Division, Road Transport Department, Ministry of Transport
- Ms. Ināra Pētersone** - Road Transport Division, Road Transport Department, Ministry of Transport
- Ms. Indra Gromule** - Head of International Road Carriage Coordination Division, Road Transport Administration
- Ms. Alla Placinska** - Interpreter